

Examiner-Initiated Interview Summary	Application No. 08/403,803	Applicant(s) ISRAELI ET AL.	
	Examiner Stephen Gucker	Art Unit 1647	

All Participants:

(1) Stephen Gucker.

(2) Cindy Yang.

Date of Interview: 15 December 2004 + 16 December 2004

Status of Application: _____

(3) _____

(4) _____

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

112, 2nd paragraph and 102

Claims discussed:

Rejected claims 100-105, 113-115, 120-126 and allowed claims 116-119

Prior art documents discussed:

Sulavik, Palm, Ramakrishnan

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

SG

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: 112, 2nd paragraph rejections would not be obviated by entry of either or both after final amendments filed 6/18/04 and 8/16/04 because insufficient parameters are recited for the product-by-process hybridization claims (e.g. what is the "hybridization buffer" recited comprised of? How long do the washing steps take? What is the specific activity of the oligomer probe and how long would you develop the bands for the hybridization signal?, etc.). Further search and consideration would be needed to answer these questions. Likewise, the 102 rejections remain because none of the newly recited limitations for the hybridization conditions can exclude the prior art of record because the prior art discloses sequences that could still hybridize under the recited conditions even if entered because the recited conditions are incomplete and the prior art teaches partial sequences that closely match the instant invention. Applicant is strongly cautioned concerning the maximum extension date of January 15, 2005 for the instant Application and is encouraged to cancel all rejected claims and let the allowed claims proceed to issue with only further minor revisions such as changes in dependent claim dependency and the submission of only the most rudimentary newly dependent claims in order to avoid an abandonment or refiling of the instant Application.